

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

JOEL STEVENS, *et al.*,

Plaintiffs,

v.

ATRICURE, INC., *et al.*,

Defendants.

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Case No. 1:22-cv-00284-MRB

**RELATOR’S UNOPPOSED MOTION TO EXTEND
DEADLINE FOR FILING RESPONSIVE PLEADINGS**

Pursuant to S.D. Ohio Civ. R 7.3, Plaintiff and *qui tam* Relator, Joel Stevens (“Relator”), respectfully moves the Court for a one-week extension of time for Relator to file oppositions to the motions to dismiss filed by Atricare Inc., St. Helena Hospital, and Adventis Health (“Defendants”). The Defendants do not oppose Relator’s motion, provided that Relator does not oppose a corresponding seven-day deferral of the Defendants’ currently scheduled reply deadline.

Under Fed. R. Civ. P. 6(b)(1)(A), “[w]hen an act may or must be done within a specified time, the court may, for good cause, extend the time with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires.”

There is good cause for the Court to grant Relator’s motion. In the intervening weeks since Defendants filed their motions to dismiss, it unexpectedly became necessary for one of Relator’s counsel to schedule a mediation for another matter that took place during the week preceding the Court’s deadline. It also became necessary since the Defendants filed their motions for another one of Relators’ counsel to schedule a meeting for a third matter with the Department

of Justice that is to take place one day after the Court's deadline. These events, when combined with the intervening Jewish holiday observed by some of Relators' counsel, have rendered it difficult for Relators' counsel team to complete the necessary opposition papers by the scheduled deadline.

For the foregoing reasons, Relator hereby requests that the Court extend Relators' time to file oppositions to Defendants' motions to dismiss from September 28, 2022 to October 5, 2022. Relators do not oppose a corresponding seven-day deferral of the Defendants' reply deadline, which is currently scheduled for October 26, 2022.

DATED this 26th day of September, 2022.

Respectfully submitted,

/s/ Kelly Mulloy Myers

Kelly Mulloy Myers

FREKING MYERS & REUL LLC

600 Vine Street, 9th Floor

Cincinnati, OH 45202

Phone: 513-721-1975

Fax: 513-651-2570

Ross B. Brooks (Admitted *pro hac vice*)

Alastair Findeis

BROOKS LLC

173 Huguenot Street, Suite 200

New Rochelle, NY 10801

Phone: 914-821-6717

Fax: 914-363-8723

Counsel for Plaintiff-Relator Joel Stevens

CERTIFICATE OF SERVICE

I hereby certify that on September 26, 2022, a true and accurate copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties for whom counsel has entered an appearance by operation of the Court's Electronic Filing System. Parties may access the filing through the Court's system.

/s/ Kelly Mulloy Myers

Kelly Mulloy Myers

FREKING MYERS & REUL LLC

600 Vine Street, 9th Floor

Cincinnati, OH 45202

Phone: 513-721-1975

Fax: 513-651-2570

Counsel for Plaintiff-Relator Joel Stevens

